

## **REMARKS**

At the time of the Office Action dated June 17, 2005, claims 15-32 were pending. In this Amendment, claims 15, 17-19, 23, 26 and 32 have been amended, and claims 16, 20-22, 24, 25 and 27-31 canceled. Care has been exercised to avoid the introduction of new matter. Adequate descriptive support for the present Amendment should be apparent throughout the originally filed disclosure as, for example, the depicted embodiments and related discussion thereof in the written description of the specification.

**Claims 16 and 24 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.**

The Examiner asserted that “selecting means dynamically detects...,” recited in claims 16 and 24, is not taught or suggested in the specification. In response, it is noted that this rejection has been rendered moot by cancellation of these claims.

However, claim 15 has been amended to include the revised limitation recited in claim 16. The limitation is as follows: “the service selecting means obtains information of the other business machine network terminals connected to the network.” Adequate descriptive support for the limitation can be found on, for example, page 12, line 20 to page 13, line 7 of the specification.

Withdrawal of this rejection is respectfully solicited.

**Claims 15 and 23 have been rejected under 35 U.S.C. §112, second paragraph.**

The Examiner asserted that claims 15 and 23 each recite the limitation “its function at the time of the decision” which has a insufficient antecedent basis issue. In this Amendment,

Applicants have amended claims 15 and 23 to replace the word “decision” with --selection-- based on the recitation “service selecting means for selecting one of the services” (claims 15 and 17).

With respect to the limitation “its function,” Applicants invite the Examiner’s attention to the following recitations: “other business machine network terminals each including a different function” (claim 15); and “the business machine network terminals each having a function different from the functions of the other business machine network terminals” (claim 17). It is apparent that there is sufficient antecedent basis for that limitation, and claims 15 and 17 are definite.

Withdrawal of the rejection of the claims is respectfully solicited.

**Claims 15, 16, 18 and 22 have been rejected under 35 U.S.C. §102(e) as being anticipated by Cook.**

In the statement of the rejection, the Examiner asserted that Cook discloses an access communication system identically corresponding to what is claimed. This rejection is respectfully traversed.

With respect to independent claims 15, as amended, Applicants submit that Cook does not disclose the following recitations:

(A) “the service selecting means obtains information of the other business machine network terminals connected to the network, and decides available services to be provided by the cooperative processing with other business machine network terminals, each of which is available to perform its function at the time of the selection of the service selecting means, on the basis of a list of types of business machine network terminals necessary for the services and the

information of the other business machine network terminals, and selectively displays the available services”; and

(B) “the business machine network terminal decides processing sequence of the cooperative processing with other business machine network terminals for providing the service, when a specific service is selected by using the service selecting means, on the basis of available service information which associated with types of business machine network terminals necessary for the services and processing sequence of each business machine network terminal for the service” (emphasis added).

The Examiner specifically asserted that Cook discloses recitation (A) in column 14, lines 17-29. The Examiner stated, “Cook discloses access providers provide a list of services that the user can select” and “The list of services may be generated based on the user access profile to make the list user specific.”

However, the Examiner’s cited portion does not disclose deciding “available services to be provided by the cooperative processing with other business machine network terminals, each of which is available to perform its function at the time of the selection,” recited in claim 15. The Examiner’s cited portion does not describe selecting a provider from the list, which provides a service by cooperative processing with business machine network terminals each available to perform its function at the time of the selection. In short, Cook merely describes selecting a provider without any other conditions required by the claim.

With respect to recitation (B), the Examiner also asserted, “Cook discloses access providers provide a list of services that the user can select.” However, what is claimed in claim 15 is “decid[ing] processing sequence of the cooperative processing with other business machine network terminals for providing the services, when a specific service is selected by using the

service selecting means.” Cook does not describes deciding processing sequence performed by a provider selected by the user.

Independent claim 18 includes recitation (B), which is not disclosed in Cook for the reasons set forth above. Further, claim 18 include the following recitation (C) which is not disclosed in Cook:

(C) “the service selecting means, in case where there are a plurality of other business machine network terminals which can provide the same function, selectively displays those business machine network terminals, or selects one or more of those business machine network terminals on the basis of information about the performance or installed place of those business machine network terminals (emphasis added).

In the statement of the rejection, the Examiner applied column 14, lines 17-29 of Cook, and asserted, “Cook discloses access providers provide a list of services that the user can select,” and “The list of service may be generated based on the user access profile to make the list user specific.” On the other hand, recitation (C) requires, “in case where there are a plurality of other business machine network terminals which can provide the same function,” selectively displaying those business machine network terminals, or selecting one or more of those business machine network terminals “on the basis of information about the performance or installed place of those business machine network terminals.” Based on Applicants’ study of Cook, the reference does not disclose any requirements in recitation (C).

Accordingly, Applicants submit that Cook does not identically disclose a business machine network terminal including all the limitations recited in independent claims 15 and 18 within the meaning of 35 U.S.C. §102. It is also noted that the rejection of claims 16 and 22 has been rendered moot by cancellation of those claims. Applicants, therefore, respectfully solicit

Application No.: 09/955,289

withdrawal of the rejection of the claims, and favorable consideration of pending claims 15 and 18.

**Claims 23, 24, 26 and 30 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Cook in view of Schow.**

In response, Applicants submit that the applied combination of Cook and Schow does not teach or suggest a business machine network information management system including recitations (A) and (B) in independent claim 23, as amended. Applicants further submit that the applied combination does not teach or suggest a business machine network information management system including recitations (B) and (C) in independent claim 26.

As discussed for claims 15 and 18, Cook does not disclose or teach recitations (A), (B) and (C). Further, it is submitted that the secondary reference, Schow, does not cure the deficiencies of Cook, based on Applicants' review of the reference.

Accordingly, Applicants submit that the applied combination of Cook and Schow does not teach or suggest a business machine network information management system including all the limitations recited in claims 23 and 26. It is also noted that the rejection of claims 24 and 30 has rendered moot by cancellation of the claims. Applicants, therefore, respectfully solicit withdrawal of the rejection of the claims, and favorable consideration of pending claims 23 and 26.

**Claims 17 and 19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Cook in view of Machida; claims 25 and 27 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Cook in view of Schow and further in view of Machida;**

**claims 31 and 32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Cook in view of Schow and further in view of Pendlebury; claims 20 and 21 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Cook in view of Machida and further in view of Pendlebury; and claims 28 and 29 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Cook in view of Schow and Machida and further in view of Pendlebury.**

Applicants first note that the rejection of claims 20, 21, 25, 27-29, 31 and 32 has been rendered moot by cancellation of the claims. Second, Applicants submit that the applied combination of Cook and Machida does not teach or suggest all the limitations recited in claims 17 and 19 at least because they include all the limitations recited in independent claims 15 and 18, respectively. Based on Applicants' review, Machida does not cure the deficiencies of Cook. Accordingly, Applicants respectfully solicit withdrawal of the rejection of the above claims, and favorable consideration of pending claims 17 and 19.

**Conclusion.**

It should, therefore, be apparent that the imposed rejections have been overcome and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

Application No.: 09/955,289

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Tomoki Tanida  
Recognition under 37 C.F.R. 10.9(b)

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 SAB:TT  
Facsimile: 202.756.8087  
**Date: September 19, 2005**

**Please recognize our Customer No. 20277  
as our correspondence address.**

WDC99 1132419-1.050023.0151